

ORDINANCE NO. 354

AN ORDINANCE AMENDING ORDINANCE ARTICLE V, SECTION 5.051.4 R-4, Mixed Density Residential - Planned Unit Development (MDR-PUD) District AND KNOWN AS THE ZONING ORDINANCE OF THE TOWN OF ASHLAND CITY, TENNESSEE BY ESTABLISHING A COMMERCIAL OVERLAY ON MAP 55C, GROUP L, PARCEL 4.00; MAP 55C, GROUP L, PARCEL 4.01, MAP 49 J, GROUP D, PARCEL 1, MAP 49J, GROUP D, PARCEL 1.01, MAP 49J, GROUP D, PARCEL 4, IN THE JURISDICTIONAL BOUNDARY OF THE TOWN OF ASHLAND CITY. SAID FUTURE PROPERTY PROJECTS, IMPROVEMENTS, OR DEVELOPMENTS SHALL BE DULY APPROVED BY THE TOWN OF ASHLAND CITY PLANNING COMMISSION AND CITY COUNCIL;

AN ORDINANCE AMENDING ORDINANCE ARTICLE V, SECTION 5.051.4 R-4, Mixed Density Residential - Planned Unit Development (MDR-PUD) District AND KNOWN AS THE ZONING ORDINANCE OF THE TOWN OF ASHLAND CITY, TENNESSEE BY REZONING MAP 55C, GROUP L, PARCEL 4.00 FROM PO TO R-4 MDR-PUD; MAP 55C, GROUP L, PARCEL 4.01 FROM PO TO R-4 MDR-PUD, MAP J, GROUP D, PARCEL 1.01 FROM SPLIT ZONE R-4 PUD & C-2 TO R-4 MDR-PUD, MAP 49J, GROUP D, PARCEL 4 FROM SPLIT ZONE R-2 & C-2 TO R-4 MDR-PUD, IN THE JURISDICTIONAL BOUNDARY OF THE TOWN OF ASHLAND CITY. SAID FUTURE PROPERTY PROJECTS, IMPROVEMENTS, OR DEVELOPMENTS SHALL BE DULY APPROVED BY THE TOWN OF ASHLAND CITY PLANNING COMMISSION AND CITY COUNCIL;

WHEREAS, the ASHLAND CITY Municipal-Regional Planning Commission has recommended that the Zoning Ordinance of ASHLAND CITY be amended as herein provided, and

WHEREAS, the Mayor and Council has given due consideration to said recommendation and has conducted a Public Hearing as required by law, now,

BE IT ORDAINED BY THE BOARD OF MAYOR AND COUNCIL OF ASHLAND CITY, TENNESSEE THAT ORDINANCE NUMBER 354 179 BE AND THE SAME IS HEREBY AMENDED AS FOLLOWS:

AN ASHLAND CITY MUNICIPAL COMMERCIAL DISTRICT OVERLAY IS HEREBY CREATED AND BOUND THERETO MAP 55C, GROUP L, PARCEL 4.00; MAP 55C, GROUP L, PARCEL 4.01, MAP 49 J, GROUP D, PARCEL 1, MAP 49J, GROUP D, PARCEL 1.01, MAP 49J, GROUP D, PARCEL 4; WITHIN THE JURISDICTIONAL BOUNDARY OF THE TOWN OF ASHLAND CITY CONTAINING THE FOLLOWING PROPERTY DESCRIPTION;

AN ASHLAND CITY MUNICIPAL AMENDMENT TO THE ZONING DISTRICT OF MAP 55C, GROUP L, PARCEL 4.00; MAP 55C, GROUP L, PARCEL 4.01,

MAP J, GROUP D, PARCEL 1.01, MAP 49J, GROUP D, PARCEL 4 IS
HEREBY REZONED TO MDR PUD R-4;

INSERT LEGAL DESCRIPTIONS HERE

Map 55C, Map Group L, Parcel 4
Legal Description
.716 Acres

Being Lot. No. Six (6) and Seven (7) in the old plat of Ashland City and lying on the north side of the Square and Sycamore Street, beginning at the S.W. corner of Lot. No. 5 on said Sycamore Street, formerly owned by C.O. Pickard, and runs N 35 degrees W with said Pickard's line, 300 feet to a stake in the north boundary line of the old town plat and said S.H. Adkisson's line; thence S 55 degrees W 100 feet to Lot No. 8 formerly owned by W.T. Clarks; thence S 35 degrees E with Lot No. 8, 300 feet to Sycamore Street; thence N 55 degrees E with said Street, 100 feet to the beginning. And being Tracts No. 1 and 9 as described in deed from Charles V. Lockert, et al., to W.B. Lockert, of record in Deed Book 75, Page 165, Register's Office for Cheatham County, Tennessee.

Being the same property conveyed to Richard A. Northcutt, Trustee by Warranty Deed from W.B. Lockert, Jr., Jimmy P. Lockert, Faye Lockert McDonald, Ann Fields, Charles R. Lockert and Robert Michael Lockert heirs at law of Mary Hazel Lockert, deceased, dated September 33, 1998, of record in Deed Book 455, Page 25, Register's Office for Cheatham County, Tennessee.
Commonly known as: 109 Sycamore Street, Ashland City, TN 37015

Map 55C, Map Group L, Parcel 4.01
Legal Description
.389 Acres

TRACT: 2 from survey recorded in Plat Book: 13, Page: 300 and Slide Number: 449-A (also known as 111 Sycamore Street)
BEGINNING at an iron pin in the northwestern margin of Sycamore Street and being the most southern point of Tract: 2; thence, with the easterly line of Richard Northcutt
Trustee in a northwestern direction, N 25°07'52" W, a distance of 152.09' to an iron pin; thence continuing with the common
line
of Lockert Square Condominiums in a northeastern direction, S 63°46'50" W, a distance of 113.72' to an iron pin; thence
Continuing with the common line of Elsa Dean Lockert and Eric K. Lockert in a southeastern direction, S 25°14'26" E, a distance of 152.05' to a iron pin; thence, in a southwestern direction

along the northern margin of Sycamore Street, S 63°45'38" W, a distance of 114.01' to an iron pin and the point of beginning, containing 17,312.66 square feet, more or less according the survey provided by Winston Gaffron Jr., Civil Engineer and Land Surveyor, 8441 Rolling Hills Drive, Nashville, Tennessee on August 1, 2007 and as recorded in Plat Book: 13, Page: 300 and Slide Number: 449- A to which reference is made for a complete and accurate description and depiction of said tract and land.

BEING part of the same property conveyed to Jimmy P. Lockert and Eric K. Lockert, as owners of Roga Development Company, via Warranty Deed, dated September 22, 1998, and recorded via Deed Book: 455, Page: 23 in the Register's Office for Cheatham County in Ashland City, Tennessee.

THIS land is subject to a Declaration of Utility and Drainage Easement as recorded via Survey Easement Utility Book: 1, Page: 491-493 in the Register's Office for Cheatham County in Ashland City, Tennessee, and utility easements as Shown on plat of record in Plat Book: 13, Page: 300, and Slide Number: 449-A to which reference is hereby made for complete description and depiction of said easements. This land is subject to a sewer line easement of record at Deed Book: 366, Page: 160 in the Register's Office for Cheatham County, Tennessee.

Map 49 J, Group D, Parcel 1
Legal Description
0.45 Acres

Lying in the 1st Civil District of Cheatham County, TN and being a parcel of land belonging to Leslie J. Matlock, III, et ux known as Lot 39 of Ashland Heights Subdivision (plat book 1, page 60) and recorded in deed book 548, page 466 at the Register's Office of Cheatham County, TN and being more particularly described as follows:

Beginning at an old metal fence post in the south margin of Arbor Loop at the northwest corner of this tract; thence with the margin of said road South 52 degree 29 minutes 50 seconds East 111.06 feet to a new iron rod; thence along a curve to the right with radius = 12.67 feet, length = 20.00 feet and chord = South 07 degrees 16 minutes 40 seconds East 17.99 feet to a new iron rod in the west margin of Peach Street; thence with said the margin of said road South 37 degrees 56 minutes 31 seconds West 150.04 feet to an old metal fence post; thence leaving said

margin of road and with Matlock North 52 degrees 00 minute 00 second West 120.61 feet to an old iron rod; thence with Lot 38 of said subdivision and with Stoner North 36 degrees 48 minutes 13 seconds East 161.77 feet to the point of beginning and containing 0.45 acre.

Map 49 J, Group D, Parcel 1.01
Legal Description
1.52 Acres

Lying in the 1st Civil District of Cheatham County, TN and being a parcel of land belonging to Leslie J. Matlock, III, et ux and recorded in deed book 548, page 466 at the Register's Office of Cheatham County, TN and being more particularly described as follows:

Beginning at a new iron rod in the intersection of the north r.o.w. of State Route 12 with the west margin of Peach Street; thence from said point of beginning and with the north r.o.w. of State Route 12 the following calls:

North 50 degrees 05 minutes 23 seconds West 182.19 feet to an old concrete monument,

North 52 degrees 30 minutes 05 seconds West 281.26 feet to a new iron rod; thence leaving said r.o.w. North 48 degrees 04 minutes 27 seconds East 148.59 feet to a new iron rod; thence with Stoner South 52 degrees 00 minute 00 second East 446.92 feet to an old metal fence post in the west margin of Peach Street; thence with said margin South 41 degrees 39 minutes 17 seconds West 150.22 feet to the point of beginning and containing 1.52 acres.

Map 49 J, Group D, Parcel 4
Legal Description
1.14 Acres

Lying in the 1st Civil District of Cheatham County, TN and being a parcel of land belonging to Leslie J. Matlock, III, et ux known as Lot 36 of Ashland Heights Subdivision (plat book 1, page 60) and recorded in deed book 548, page 466 at the Register's Office of Cheatham County, TN and being more particularly described as follows:

Beginning at a new iron rod in the north r.o.w. of State Route 12 and at the southwest corner of this tract; thence leaving said r.o.w. and on lines with Spann the following calls:

North 34 degrees 49 minutes 47 seconds East 273.99 feet to a new iron rod,

North 38 degrees 04 minutes 47 seconds East 81.63 feet to an old metal fence post; thence with a south line of Lot 35 of said subdivision and Waynick South 51 degrees 11 minutes 45 seconds East 207.15 feet to a new iron rod in the margin of Arbor Loop; thence with said margin along a curve to the left with radius = 50.00 feet, length = 50.84 feet and chord = South 32 degrees 33 minutes 11 seconds West 48.67 feet to a new iron rod; thence with Lot 37 and Stoner South 68 degrees 20 minutes 07 seconds West 193.37 feet to a new iron rod; thence with Matlock South 48 degrees 04 minutes 27 seconds West 148.59 feet to a new iron rod in the north r.o.w. of State Route 12; thence with said r.o.w. the following calls: North 52 degrees 30 minutes 05 seconds West 18.74 feet to a new iron rod, North 37 degrees 29 minutes 55 seconds West 10.00 feet to a new iron rod, North 52 degrees 30 minutes 05 seconds West 54.23 feet to the point of beginning and containing 1.14 acres.

ARTICLE I. LEGAL STATUS PROVISIONS

Section A. Conflict with Other Ordinances

In case of conflict between this Ordinance or any part thereof, and the whole or part of any existing or future Ordinance of ASHLAND CITY, Tennessee, the most restrictive shall in all cases apply.

Section B. Validity

If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance which is not of itself invalid or unconstitutional.

Section C. Effective Date

This Ordinance shall become effective 20 days on or after its final passage, in accordance with the Charter of ASHLAND CITY, Tennessee, the public welfare demanding it.

Approved and adopted by the Mayor and Council of Ashland City, TN, this _____ day of _____, 2009.

Date: _____

Con. 10/20/09
Gary Norwood, Mayor of ASHLAND CITY, Tennessee

Attest: Phyllis Schaeffer
Phyllis Schaeffer, City Recorder ASHLAND CITY, Tennessee

Date of Publication of: _____

1st Reading 3-10-09
Public Hearing 4-14-09
2nd Reading 4-14-09